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TUESDAY, OCTOBER 12, 1909.

## **A PRETTY FAST GAIT.**

The other day we learned by government figures that Richmond had made a greater increase in its building operations between 1907 and 1908 than any other city in the United States. Richmond's increase was 65 per cent., while the increase of its nearest competitor was 59 per cent. On the heels of this comes the gratifying announcement from the same authoritative source that Richmond has increased its post-office expenditures for September, over the corresponding month last year, more than any city in the country except three. These three are Seattle, New Haven and Portland, two of which at least are known as among the liveliest and fastest growing cities in the country. Seattle's large gain, it may also be observed, is due partly to the thousands of transients now there for the exposition.

It would not be easy to find two better barometers of a busy city's progress than its building operations and its post-office business. Nobody builds in a dead town. People don't pay their good money to erect 701 buildings of all sorts in a city of this size, as Richmond people did in 1907, the hard times year, unless the city is steadily growing and its continued growth is assured. People don't increase this number of permit demands to 1,330 in a single year, as Richmond people did in 1908, unless the growth is very vigorous, and at the same time very solid. Nearly as good an index is found in the post-office receipts. The great buyers of postage are the jobbing and wholesale concerns, the mail-order houses, the insurance companies and banks, and generally the larger business firms which do a State and interstate business. Their stamp bills expand or contract according to "the times" exactly like their pay-rolls, and the bigger their bills are the brisker and more booming is their business.

Richmond asks no odds of any city of its size in the country. At this moment it is in better condition industrially, commercially, socially and in point of unified and progressive public spirit than it ever was before in its life. It is an old city, and usually termed a conservative one, but it is striking a gait which notifies the liveliest of the younger cities throughout the country that they must look to their laurels.

## **NON-ENFORCING PROHIBITION.**

Curious studies in the workings of prohibition are cropping up in the so-called dry States of the South. Chattanooga, in dry Tennessee, is distilling and selling liquor under the authority of the law, only it does not make any sales to Tennesseans. The Tennessee law does not forbid the manufacture of liquors, but only their sale within four miles of a schoolhouse, and to interfere with Chattanooga's export business would be to collide with the interstate commerce law. Georgia, Tennessee's neighbor, can neither make nor sell liquor, but can buy it; Tennessee can make and sell it to outsiders; so we have Tennessee shipping Georgia all the drink the latter State cares to order. This condition must be puzzling and unsettling to plain Georgians who know, roughly, that buying liquor is against the law, yet see it bought in quantities all around them. Nor can it be at all a good thing for the law. "The only question," says the Atlanta Constitution, "is to what extent, if at all, the aggregate consumption has been affected."

In Atlanta, an anti-prohibition city, the dry law is interpreted "liberally." Savannah's open flouting of the law became a State scandal last spring. There was no pretense of obeying it, and the city's defiance was at one time so notorious that it drew from the Governor a threat to use the militia. Memphis, according to occasional reports, is consuming very considerable quantities of liquor. The same thing is true, in greater or less degree, in all the larger cities of Tennessee and Georgia. An inevitable but interesting development is seen in the fact that municipal elections are taking on the complexion of secondary wet-or-dry contests. That is to say, the real question underlying them comes to be simply enforcement or non-enforcement of the law. In Nashville, some days ago, such an election was held, and the non-enforcers won. In Macon, more recently still, such an election was held, and again the non-enforcers won. There are being evolved, in fact, nine and sixty ways of "interpreting" what prohibition means. Looking about over the situation in Georgia and Tennessee, the Atlanta Constitution, in the article quoted above, is moved to ask:

"Is it coming to a sort of plebeian and extra-legal local option, each community constraining the mandate of the State to accord with its own sentiment and every judge and jury setting up separate and differing interpretations of non-interpretations of the law?"

"Plebeian local option" is a new phrase to describe a very old proposition. The proposition is the exceedingly familiar one that no law can be enforced over the community sentiment of a majority of the people affected by it. In the case of prohibition the result of trying

It is usually a small diminution in the consumption of liquor, the benefits from which are more than offset by the demoralizing and anarchistic conditions under which it is purveyed.

## **EXIT MR. SHELTON.**

There was a Mr. Shelton, a Republican, who bobbed up at the beginning of the campaign, made sensational and reckless charges against the Democratic party, and immediately thereafter disappeared from the rostrum and the walks of men. Dimly his organization perceived that Mr. Shelton was hardly of the calibre to win over the "young and progressive men" of Virginia.

We have no extravagant opinion of the Republican party in Virginia, as we have endeavored from time to time to make plain. But we will pay it the modest compliment of assuming that Mr. J. L. Shelton, of this city, has made his last appearance on the Republican stump during the present campaign.

## **THE ACROBATIC SILENCE.**

The Anti-Saloon League has all the best of it in its crossing of swords with Captain Kent. The captain emerges from the bout with his silence intact, but decidedly the worse for wear in other directions. The Anti-Saloon League is not in the least a popular organization. There are many people in Virginia who greatly rejoice to see it snubbed, no matter what the issue is, no matter how shallow and stupid the snub. Anybody can win a little cheap applause at any hour of the day or night by rising and shrieking at the league to go and mind its own business.

Captain Kent's great blunder in this case has been his failure to recognize what was the league's business and what was not. He has not declined to tell the league what his attitude toward State-wide prohibition is. He has declined to tell those voters of the State to whom he is appealing for support. Not a man of them can say this morning whether the captain, imagined as Governor of Virginia, would sign or would veto a bill referring the liquor question to a vote of the people. Between the positions might lie all the difference between State-wide prohibition and its defeat. The captain, with heavy-footed diplomacy, is laboring for the advantage of both positions. Apparently he cannot pluck up courage to make an open break with the prohibitionists and tell them that he would block any and all efforts toward State-wide. But by a so-called "rebuttal" to the league—of which his running-mate, the Republican candidate for Lieutenant-Governor, is a vice-president—he hopes that wet voters will so understand him.

If one of the Democratic candidates in the primary had attempted a grotesque straddle of this sort, we should have seen some high old times in Virginia. By the relative indifference which has greeted his own acrobatic essay, the Republican candidate may measure his political insignificance. Nor should the small chieftains which are always so easily aroused at the expense of the Anti-Saloon League, at any hour of the day or night, delude him into the complacent belief that he has pulled rather a sharp stroke. We completely miss our guess if any wavering voters can be won to the support of a leader who insists on trading sight unseen and requires all comers to take their chance of guessing on which side of the fence he privately means to flip down.

## **COMMISSION GOVERNMENT: IN FORM AND IN FACT.**

The deliberations of the Virginia League of Municipalities the other day gave definite form to the campaign for commission government. Coupled with the probable results of the Roanoke conference, they mean that an organized and effective appeal will be made to the next Assembly for the new form of municipal government. All are, of course, agreed that the arrangement is to be optional. No city is called upon to form a commission unless the majority of its people see the need of it. But one important question remains unsettled: Shall cities petition for enabling acts to establish pseudo-commissions under the present provisions of the Constitution, or shall they request constitutional amendments that will secure real commission government?

In his speech before the league, Thomas S. Purdie, of the Norfolk Board of Control, set forth a new plan by which the former could be arranged. Mr. Purdie's argument is simple. The State Constitution (Sec. 121) specifies only a few unimportant functions which must be performed by the City Council. All other municipal powers are granted to the Councils by the Legislature, under authority bestowed by the Constitution. (Sec. 117.) If, therefore, the Assembly sees fit to vest in commissions, under proper charter authority, powers not granted to the Councils by the Constitution, it is at liberty to do so. A figure-head Council would then do the little work given it by the Constitution, while the real work of government would be done by the commission.

This view has aroused much interest. In its bare form it involves a principle fully expounded by the State Supreme Court. The question raised is simply this: Can the Assembly exercise a function not prohibited to it by the Constitution, though not apparently within the purview of the Constitution? Upon this point the Supreme Court has ruled (Butler vs. Corporation Commission) that the Assembly's authority "to enact laws unless forbidden by the Constitution of the United States or the Constitution of Virginia" in express term or by necessary implication, is paramount. This fully bore out earlier decisions, such as Smith vs. Commonwealth (75 Va.,

304), and Va. Tenn. I. & C. Co. vs. McClelland (98 Va., 424). In Commonwealth vs. Dewrey (146 Grat. 1-5), the court went even further, and in Brown vs. Epps (91 Va., 726) held that the "Constitution of Virginia . . . is a restraining instrument, and the Legislature of the State possesses all legislative power not prohibited by the Constitution."

This settles beyond doubt the validity of Mr. Purdie's suggestion, but it does not prove its expediency. On the contrary, it would seem much wiser to face the issue squarely and secure a constitutional amendment which would permit of unhampered commission government, rather than experiment with legislative makeshifts. The former would be stable and final; the latter would be subject to revision at the whim of any Assembly.

Judge Gaynor has tried himself on the charge of inconsistency and surrender of principle and pronounced an enthusiastic acquittal. It happens, however, to be a jury case.

We take it that the reduction in the wholesale price of whiskey is not a matter of complete indifference to the prohibitionists.

Some people think that the members of Professor Leith's exploring party in the Hudson Bay wilds are lost. Not a bit of it. They are simply wise enough to lay low awhile and claim nothing.

It looks probable to us that before the New York mayoralty contest is over, Dr. Cook and Mr. Peary will have a chance to learn a lot about controversies which had never occurred to either of them.

No office which goes out seeking William Randolph Hearst need ever feel utterly hopeless.

It seems that some negroes in California insist on seats at the banquet to the President this week. Let us see whether Mr. Taft's veneration for the Constitution covers this point, too.

It is certainly a matter for congratulation that Mr. Wagner and Mr. Cobb were not playing on the amazing Richmond team this year. If they had been we could hardly have avoided winning the pennant, and that is a thing that no refined and careful city can bear.

The czar is planning to visit Rome this week. We think that he would feel much more at home in bombastic Barcelona.

It is only fair to say that Commander Peary can turn out a very fair quality of silence when he tries.

If Ty Cobb steals home again, we do not see how any power can keep him out of the governorship of Georgia.

A man who declares that he hails from Norfolk is being detained in New York that they may look into his suit. Any knock here?

The farmers got their rain after all, and the courtesy of the weather-man in holding off till after the State Fair is thoroughly appreciated.

We earnestly hope that the Pirates and the Tigers can settle up their little difference of opinion without anybody's calling anybody else a liar.

Captain Amundsen is training polar bears to pull his sledges in a new Arctic expedition. The man who would go to such pains to hunt up trouble deserves no sympathy from anybody.

"Dr. Cook," remarks the Pittsburgh Gazette-Times, "looks and talks like a man who has discovered the pole."

The Pittsburgh Gazette-Times looks and talks like a paper that has seen thousands of 'em.

## **RESTRICTED IMMIGRATION.**

America Federation Would Place Stringent Limitations on Newcomers.

Through the famous labor leader, John Mitchell, the American Federation of Labor has started an agitation to make more stringent the restrictions on the immigration laws of the United States. It is suggested that the present head tax be increased from \$4 to \$10; that each immigrant, unless he is a political refugee, bring into the country with him not less than \$25 in addition to the cost of his transportation to his destination, and that immigrants between the ages of fourteen and twenty years should be able to read a section of the Constitution of the United States either in the English or their own language. Any and all suggestions which come from Mr. Mitchell's matters of public moment are worthy of the fullest consideration. He has been tried and tested on the scales of public endeavor and has not been found wanting. His proposals are not only sound in principle, but they are also in line with the needs of the country at this time, when hordes of undesirable immigrants are knocking at the door of every seaport town. That many of them who get in should be kept out is not to be gainsaid. The question, however, of bringing this about is the question, and it is not easy of solution.

Immigration of a pauper class is to be deplored, and the restrictions which Mr. Mitchell proposes would have a tendency to keep this class out. But it is also true that many immigrants who could meet the financial obligations which Mr. Mitchell would impose would be less desirable as citizens than others who would not be so restricted. The financial qualifications which Mr. Mitchell suggests are not particularly onerous. Perhaps their adoption would be a step toward the solution of one phase of the pauper-immigration question. The matter is a most important one, and a full and free discussion of it ought to result in an equitable determination.—Topska State Journal.

## **Taft Unhappily.**

Now and then, in discussing the tax on corporations, President Taft throws out a disguise. For example, in his speech at Portland there was no nonsense about "the needs of the Treasury" and a "diminishing revenue," but a frank avowal: "The corporation tax is a step, and a long step, toward Federal investigation and supervision—I had almost said control—of all corporations. This administration . . . has taken a long step toward the proper control of the corporations in the passage of the corporation tax law." This is what the President aimed at all the time—an army of Federal spies to look into the secrets of American business men; the creation of a great engine of oppression that would reach into the homes of every man, woman and child, and might use for destructive purposes. It is un-American, unnecessary, and unwise; it is, moreover, subversive of those principles of liberty on which our government is based. What Taft means, we would like to know, has the government of the United States to exercise "supervision" or "control" over corporations created by the State?—Rochester Post-Express.

# **Borrowed Jingles**

## **HER DISMAL FATE.**

For lady she is seldom glad;  
 She views the world through weary eyes,  
 The tears in which she speaks is sad,  
 She heaves a lot of dismal sighs.

She lives where luxuries abound,  
 The house is full of diamonds and gold;  
 In splendid style she rides around,  
 But always with a languid smile.

Her husband's not a brute, indeed,  
 His treatment of her is most kind;  
 For anything her heart may crave,  
 And yet her visage makes it plain  
 That she is sorrow's fretful slave.

She has so many dresses made,  
 That she can never get a rest;  
 No more can she get any good,  
 She lives for naught but to be dressed,  
 —Chicago Record-Herald.

## **MERELY JOKING.**

Hard to Believe.  
 "The public," remarked the broker, "is always bullish. Always inclined to buy for a rise."

"I suppose said the other man, 'that it's hard for the public to grasp the fact that anything is going down in price.'—Pittsburgh Post.

A Variable Definition.  
 "Father," said little Bolo, "what is a political trickster?"

"I can't give you a definition that will cover all varieties, but in general terms he is a member of the opposition who succeeds in having his own way."—Washington Star.

## **At Least One Advantage.**

The American officer had criticized the British officer's uniform, and said: "The red is a magnet for bullets." "True," replied the Britisher, "but think of the snappy color effect it will give to your historical paintings by and by."—Puck.

She's Surely a Bostonian.  
 He breathed his vow, yet still she regarded him with disdain.  
 "Is from my heart of hearts," he protested.

"Where did you go to school, that you breathe from your heart of hearts, rather than from your diaphragm?" she demanded severely.—Puck.

Profit and Loss.  
 "I used to walk the floor worrying about how I was going to pay my landlord," said Mr. Tuttle.

"Teacher," don't you have got all that," replied the optimist.

"I had to. The landlord said that if I didn't stop worrying about the floor he'd raise the rent."—Washington Star.

## **Discussed at Home.**

"Now, Willie, you describe the North Pole as nearly as you can from hearsay."

"Willie," "I-I don't want to, mam."

"Teacher," don't you have got all that," replied the optimist.

"I had to. The landlord said that if I didn't stop worrying about the floor he'd raise the rent."—Washington Star.

## **FROM OTHER SANCTUARY.**

THIS is most unusual. Mr. Peary reports that the fish in the vicinity of the North Pole are exceedingly small in size. He says that he has seen a fish like that before.—Topska State Journal.

Charles Taft has a sailboat called Bandit; J. P. M. has a yacht named Corsair, and Alrich, who paddles his own canoe, is known as the Hobbs-Baron. If the Pearys' craft were not so small, we might think there was something in names—Louisville Times.

One Indiana author announces that he is going to stop writing. It is a pity that he doesn't get a regular petition signed.—Austin Statesman.

It is a plain proposition, among the pretensions of the future by men who have been to the North Pole, that the South Pole cannot long remain undiscovered now.—St. Louis Globe-Democrat.

The Washington Star hopes Mr. Taft will think over a pull his sledges in a new Arctic expedition. The man who would go to such pains to hunt up trouble deserves no sympathy from anybody.

Since the performances of the Wright brothers and Mr. M. it should spell it "O-higher."—Savannah Press.

## **NO SUNDAY BASEBALL.**

Judge Holds Law Unconstitutional Authorizing Games on Sabbath.

A jury in Indianapolis has returned a verdict of guilty against a baseball manager for playing baseball on Sunday. The last Legislature of the State enacted a law permitting baseball games on Sunday. The manager of the Indianapolis team was charged that the law was unconstitutional and the jury, after a prolonged session, returned a verdict accordingly. It appears that the main issue made in the case was that the law was unconstitutional, and that the Legislature had no power to follow their usual vocation on Sunday. It was insisted that professional baseball playing is a vocation, and that the law was unconstitutional. The class of occupations that are known as those of necessity that are allowed on Sunday for the public good. The Indianapolis News says of this case:

"What was contended for in the case was that the Legislature might allow Sunday work by ball players, while refusing to allow Sunday work to be done by any one else, leaving out of account works of charity or necessity, which, of course, are not prohibited. The question of the constitutionality of the law is a debatable one, and the Legislature has the responsibility of deciding what Sunday work is desirable and permissible, but this is hardly a fair statement of the case. As the law is unconstitutional, in fact, the Legislature cannot go beyond its terms, and so cannot authorize or legalize any Sunday work, except works of charity or necessity. The Legislature has already decided what Sunday work is desirable, namely, 'works of charity and necessity, and none other.' The attempt to add other sorts of work by an awkward amendment to the section forbidding Sunday ball was bound to fail."—Nashville Banner.

## **How Their Taxes Have Grown.**

In 1813 J. J. Astor paid \$23.88 taxes on real estate in New York City. In the same year R. Lenox paid \$27. Stephen Whitney, \$4; John Jay, \$4; Washington Irving, \$10; Peter Lorillard, \$6.84, and four members of the Vanderbilt family paid from \$1 to \$6.90, respectively. In 1825 J. J. Astor, through accumulations from rents and proceeds of further land sales, paid \$1,000 taxes. In 1830 his payments amounted to more than \$40,000, and to more than \$400,000 in 1890. This year of 1909, the Astor "pays" taxes on New York City houses and real estate valued at \$45,000,000. Their real market value is probably nearer \$75,000,000, and of course, they could not be bought for \$100,000,000. There are now only two branches of the Astor family owning this immense property, the bulk of which came from the acquisition of real estate and its enhancement because of the growth of the city.—Nashville American.

Let us prepare the copy for your local advertising. Expert service rendered. Agency, Inc. Mutual Building, Richmond, Virginia. Established 1904.

# **TO-NIGHT**

## **NEW LORD MAYOR A ROMAN CATHOLIC**

Sir John Knill, Who Takes Office Next Month, Wealthy and Cultured.

PAGEANT ARE NOW ABANDONED

London Ruler Draws Enormous Salary and Has Titles and Dignities Without Number

BY LA MARQUISE DE FONTENAY.

Sir John Knill, who has just been elected Lord Mayor of London, for the twelfth month beginning November 9 next, is a Roman Catholic, and the consequence thereof was subjected to some heckling on the part of strict Protestants. Thus, he was asked whether he would appoint a Church of England clergyman as his official chaplain, to figure as such in ceremonies, and agreed to do so, intimating, however, that he would have in addition thereto a private chaplain of his own denomination. Sir John was asked if he would attend certain religious services in St. Paul's Cathedral and in other city churches in connection with the custom and tradition, and to this he replied that he would only be present at the coronation of the sovereign, but that on other occasions he would delegate one of the Aldermen to represent him.

Finally, he was asked not to put the Pope before the King, and gave the requisite promise. The question of public toasts were concerned. The reason for this question was, that when his father, the late Sir Stuart Knill, was Lord Mayor in 1892, that is to say, seventeen years ago, he gave considerable offense to the Roman Catholic episcopacy of England by proposing as the toast, "the Holy Father and the Queen." Called upon for an explanation, he declared that he was not a Catholic, and that the toast was a compliment to the ancient, time-honored English toast of "Church and King," or "Church and Queen," and that neither the government nor the sovereign took any exception to his action, it being shown by the fact that three weeks later the Prime Minister, Mr. B. A. Russell, had proposed that Queen Victoria had bestowed upon him the honor of a baronetcy.

At the time of his election, in 1892, the two names submitted as candidates were his own, namely, that of a Catholic, and Sir George Faudel Phillips, a Protestant. Sir Stuart Knill carried the day, and was succeeded at the end of his term by Sir George Faudel Phillips.

## **Man of Culture.**

Sir John, unlike many of his predecessors in office, is an exceedingly well-read and well-bred man, possessing a liberal education and a high social position. He was educated at Beaumont College, near Windsor, whence so many foreign royal princes have graduated, subsequently completing his studies at the great Jesuit college of Feldkirch, in Austria, and then at the University of Bonn, Germany. He has been a member of the House of Commons since 1885, and was elected to the office of Lord Mayor of London in 1892.

He was formerly held on the staff of the Translation of St. Edward, October 13, but it was altered to September 29, by an act of the Common Council, dated from the reign of King Henry VIII. Sir John was elected to the office of Lord Mayor of London in 1892, and was re-elected in 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, and 1909.

He is a member of the House of Commons, and was elected to the office of Lord Mayor of London in 1892, and was re-elected in 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, and 1909.

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